Mr. DEPUTY SPEAKER.— The question is:

"That Clauses 10 to 22, both inclusive and Schedule stand part of the Bill."

The motion was adopted.

Clauses 10 to 22 both inclusive and Schedule were added to the Bill.

Mr. DEPUTY SPEAKER.— The question is:

"That Clause 1, the short Title and the Preamble stand part of the Bill."

The motion was adopted.

Clause 1, the short Title and the Preamble were added to the Bill

Motion to pass

Sri B. BASAVALINGAPPA.— I beg to move:

"That the Mysore Habitual Offenders Bill, 1959 as passed by the Legislative Council, be passed."

Mr. DEPUTY SPEAKER.— The question is:

"That the Mysore Habitual Offenders Bill, 1959 as passed by the Legislative Council, be passed."

The motion was adopted.

MYSORE PORTS (LANDING AND SHIPPING FEES) BILL, 1960.

Motion to consider.

Sri B. D. JATTI (Chief Minister).—Sir, I beg to move:

"That the Mysore Ports (Landing and Shipping Fees) Bill, 1960, be taken into consideration."

Mr. DEPUTY SPEAKER.—Motion to move:

"That the Mysore Ports (Landing and Shipping Fees) Bill, 1960, be taken into consideration."

† Sri B. D. JATTI.—Sir, in the district of Mangalore, the Madras Ports Manual and the Madras Outports Landing and Shipping Fees Act, 1885, are in force. In the District of Karwar, the Bombay Ports Manual and the Bombay Landing and Wharfage Fees Act, 1882 are in force. As there are two Acts, so there are two sets of rules which are in operation in the districts of Mangalore and Karwar. The intention of the Government in bringing this Bill for consideration is to have a uniform Act and also uniform rules. The Mysore Ports Bill, 1960 has been introduced with this intention. In this Bill there are no new provisions The provisions which were incorporated in the Act of Madras and in the Act of Bombay are mostly the provisions

which have been incorporated in this new Bill. A provision for the levy of fees has been made in clause 3. The provision empowers the State Government to prescribe a schedule rate of fees. The object of this Bill is to create a Port Fund fee either for each port in the State or for a group of ports. Audit will in future vest with the Controller of State Accounts. Hitherto, it was not under the Controller of State Accounts. The receipts obtained will be used to improve the port or the group of ports which were thought of. Lastly, the various rules and laws which were in operation so far will be repealed. So this is a very simple Bill which has been introduced in this House with a view to have a uniform legislation regarding the administration of Ports. There is a separate Act, the Mangalore Port Trust Act. That is why we have not included that Port. Again, no additional expenditure is involved by passing this Bill and implementing this when it becomes an Act With these words, I commend this Bill.

Sri C. K. RAJAIAH SHETTY (Chicknaikanhally).—Mr. Speaker, Sir, the Statement of Objects and Reasons expresses that this is a simple measure just to bring in uniform legislation both to South Kanara and North Kanara districts. Unfortunately, Government has taken almost all powers of making rules, making bye-laws and fixing the rates, and also how the money has to be spent. They could have said how much they are going to charge per embarking passenger and how much for a disembarking passenger and for animals that go and animals that come in, how much they charge for cargo and for different varieties of cargo, etc. After all it is a tax Bill. When it is a tax Bill, the schedule of rates ought to have been given here, because the schedule also varies from one cargo to another, from animal to man and from man to animal. I do not know why the Government missed this. Secondly the very object of this Bill is good. Mysore is having about two hundred miles of coast. Unfortunately, almost all the Ports are said to be minor ports. Even in these minor ports, Government, though with good intentions, have provided in this Bill that the amount so collected will be used for the development and improvement of ports, and the landing portions of the ports to be improved and new landing portions to be built. For all that, money has to be used. But if you look into the Budget for the last three years to find out what moneys have been spent, you will find that excepting collecting fees, Government have not shown any effort to improve either the landing places of the ports or any other improvement. The few ports that we are having are not in any way much useful, because most of the ports are seasonal. For six months in a year, we cannot use these ports. Even in the other six months, our people are not in a position to make use of the ports properly because no improvement is made in spite of levying taxes. The other thing is, we expect more cargo to go out of Mysore or Karwar through these ports. For development of commerce in any country, ports are most important. Communication is next. In spite of our having two hundred miles of coast, the efforts shown by our Government

(Sri C. K. RAJAIAH SHETTY)

is very poor, either in conversion of the minor ports or to major ports or in converting to all season ports. Even taking the rates, I would say that the ratee levied are much higher than Madras rates. After all when the cost incurred is two to four annas, for tagging the craft we are now levying one rupee. Very recently the Port fee has been increased from 54 nP. to 80 nP. It is really a very high rate to encourage commerce or to see that all cargo of Karnataka goes from our ports. We have to take into consideration the nature of our roads too for transporting the cargo. Much of the iron and manganese ore has begun to go through our ports, *i.e*, Mangalore port. Two hundred miles in lorries has to be gone through for transporting this ore. But Madras and other ports are linked with railways and it is easy for them for carriage goods. The cost of transportation will be less in the latter case. With the increased cost of transportation, the high rates prescribed is prohibitive and it will discourage business. If any country has to develop, the first thing is industry, the second is commerce and the third is agriculture. But our State has not helped commerce. There is no doubt a Director of Industries and Commerce. Except in name, no effort is being made to improve the condition of these business classes to develop commerce. The reason is this. We are having only minor ports. Our few ports are not linked with railways. Thirdly the Government has not seriously thought over the matter of development of commerce. In most of the advanced countries of the world, commerce has enriched them. Britain is not a big industrial country when compared to Germany or America. But Britain is a centre of Commerce in the world. The City of London is the centre of commerce. The Britishers are richer than many others. In Israel there are no industrial resources nor any industry. But the people of Israel are commercial people. Thereby that country is rich. If you want to enrich our country, we should develop industry and commerce. You take sales-tax. It gives a revenue of ten crores to our Government. But Madras gets more from this source, because, it has got a good port. Every year, to the extent of 23 lakhs tons of cargo is going out of Madras, whereas all ports put together in the two hundred miles of Mysore are not even sending out one-fourth of what Madras is sending. Really it is our misfortune. I do not know whether it is due to the lack of effort of the Government that our ports have not developed. Unless some of our ports are made major ports or all-season ports, there is no scope for the development of commerce in the country.

4-30 P. M.

If at least Goa is made part of Karnataka and if all our cargo goes through Goa Mysore would be the luckiest State because it is one of the most natural ports in the west coast. Our Government should press the Central Government and see that Goa comes to Karnataka and if the Central Government fails to do so, then they should say to the Central

Government that the Mysore Government would take police action and annex Goa to Karnatak. It is definitely a part of Karnatak and we should claim and get it. Apart from developing the existing ports, not spending the little money that we get as cess or tax is really a great discouragement on the part of Government to commerce. Simply collecting the tax and not spending it for the purpose for which it is collected is a grave offence. As the Chief Minister said, the money collected as tax in a particular port should be used for the development and improvement of the port, as is done in Madras and other States. Why don't you do so ? Do you mean to say that if the Minister in charge is not capable of spending it ? Then, it is definitely nothing but a discouragement to commerce.

In the penalty clause, it is said that the penalty should not exceed twice the fees. I think the penalty is too low. Even in the case of octroi, the penalty levied is ten times. In the Customs they seize gold, watches, etc. If the penalty is more, people will definitely hesitate. Of course, in cases where the people want them for their *bona fide* use, there may not be heavy penalty. It is necessary to increase it, at least by six times. Otherwise, it will be very small punishment and there will be evasion of tax.

In clause 5, it is provided that the officers may levy lawful fees, Why not say 'prescribed fees' ?

Again, I want to press for provision for improvement of facilities in respect of storage, handling of cargo, handling of passengers, etc. I would request the Government to spend hereafter to the last pie and in addition they should provide some fund for the improvement of ports and make them all-season ports because there is lot of discouragement due to lack of facilities.

The Chief Minister said that there is no necessity for a financial memorandum. From the Statement of Objects and Reasons it will be seen that there is a difference in rate between North Kanara and South Kanara Districts. You are definitely going to fix some uniform rate for both the districts. When that is the case, there will some financial income to the exchequer. With these observations, I close my speech.

† Sri V. SRINIVASA SHETTY (Coondapur).—Sir, I have not gone into the financial implications of this Bill but generally speaking I welcome it.

In this connection, I wish to say one or two words about our ports. Our misfortune is that most of our Ministers, of course with due deference to the Chief Minister, comes from an area very far away from the ports and so they have still to learn a lot about the ports. Mysore has been asking for ports for a long time and we have now a surfeit of ports, but unfortunately we are simply nibbling at the problem. I do not wish to personally criticise any Hon'ble Minister, but unfortunately they have not given enough attention to this problem and they have not

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realised the enormity of this problem because they have not tried to study the problem itself. As stated by my predecessor, we have a coast line of 200 miles and we have got a number of minor ports. For generations past, we have crying aloud should in South Kanara and Mysore that Mangalore and Karwar Ports should be developed and at long last innumerable committees enquired into this matter and came to the conclusion that Mangalore should be developed as a major and all-weather port. The Government of India has agreed to that and nearly Rs. 12 to 13 crores have been set apart for this purpose. Then comes the hitch.

The Hon'ble Minister—I have said this already once before in this very Assembly,—the Hon'ble Minister of the Central Government from Madras was induced to take up the case of another port in Madras namely the Tuticorin port. It is quite obvious. I do not wish to hide this matter. After Mangalore was decided by the Planning Commission and after they said that it should be developed into a major all-weather port, somehow, it was mamovered that Tuticorin was also included in the list along with Mangalore and gradually it displaced Mangalore. Today, it gets priority. Today, it is Tuticorin first and Mangalore second. Why I say this...

Sri B. D. JATTI.—That is not correct. I am going to explain.

Sri V. SRINIVASA SHETTY.—I shall be very happy to hear the explanation from the Chief Minister. The Hon'ble Minister from Madras made a statement he has made two or three statements, but I am refering to the latest statement. He said that the Government of India have set apart enough funds, crores of rupees and the Planning Commission has agreed to develop the Tuticorin port and that work is to begin immediately. That is the statement that has been reported. Nothing about Mangalore is mentioned. This statement is supposed to have come from Dr. Subbarayan. He has said that Tuticorin port will be taken up immediately-no whisper is heard about Mangalore. I do not know if he has also referred to Mangalore, but it was not reported. What I say is, it was Mangalore that was in the picture and gradually Tuticorin has displaced Mangalore. I have heard statements from our Hon'ble Ministers umpteen times that Mangalore is going to be taken up and so on. I do not know. But the latest statement from the Central Minister is that an expert committee which went to examine Mangalore has given the report. It is going to be taken up. The latest position in Mysore Government perhaps is that they will induce the Central Government to take up the work. I do not know whether the Hon'ble Chief Minister has been able to induce the Central Government to take up the work and allocate funds along with Tuticorin port in the Third Five-Year Plan.

Another important point which my friend said is, along with the Mangalore port is linked up the construction of the Hassan-Mangalore

Railway. If the Mangalore port is taken, Hassan-Mangalore Railway comes to us. Otherwise, the Deputy Minister from the Centre has made it clear that Hassan Mangalore Railway is going to be taken up only if the Mangalore port is taken up. We are hearing not once, so many times from the highest sources from Chief Ministers and Central Ministers everybody that they are going to take up both the Mangalore and Tuticorin port. We are going to here also from the Chief Minister and if he says that I am wrong-I hope I am wrong, I shall be happy.

Sri B. D. JATTI.—I will give correct facts.

Sri V. SRINIVASA SHETTY.—I hope I am wrong. Sir, this has been going on for too long time. I am very anxious. Please do not mistake me that because I come from South Kanara, I attach importance to Mangalore. If I am pleading for Mangalore Port so earnestly, it is only because it is going to be a very precious asset for the whole State, for the development of the whole State and for the development of commerce by which Mr. Setty swears. Mangalore port is absolutely necessary. I very earnestly plead that A-I priority should be given to Mangalore port. I am not of course saying that Karwar and other ports should not be taken up. There is my own port the Coondapur port which should be developed as early as possible.

One more matter Sir. I am not satisfied if Mangalore alone is developed. There are a number of other ports. The Coondapur port from which place a large volume of trade passess it is only second to Mangalore in the matter of import and export. My Hon'ble friend Mr. Balia knows it perfectly well. Mr. Shamsuddin also knows about it. In spite of the fact that Reorganisation of State took place as for back as 1956 and all these ports were added on to Mysore long ago, what have the Government done at all in developing these ports ? They have not reorganised the services. They have not even appointed the proper personnel. Even now they are trying to find out proper personnel to appoint to these places. I do not know what is wrong in the matter of ports development and management here. I wish to say that the headquarters of the ports officer is in Mangalore. There is no kind of connection between the Minister incharge of ports and the Ports Officer. There is absolutely no connection. I feel that there should be better liaison between the two. Government should have more and more control and supervision on their personnel also. It is no use simply appointing one or two officers. Mangalore is for away. The Government should see that there is greater co-ordination in the interest of development of the ports.

Sir I do not wish to say more on these matters. We have discussed this subject several times. I feel it may be better to have the Ports Officer near here at Bangalore. What we have done is very little. Everything remains to be done ; and I also know that the Hon'ble Chief Minister is also very anxious to do whatever he can and whether he will be able to do it in the present set up of this Government is another matter. I request first of all the Hon'ble Chief Minister to come and see the ports for himself. It is not

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a matter of taking up Mangalore port only and leave the others. As early as possible, you should take up these ports also. Please see that Mangalore Port is taken immediately so that Hassan Mangalore Railway which symbolises the aspirations of the whole of Mysore State is taken up as early as possible.

†Sri B. R. SUNTHANKAR (Belgaum).—Sir, I wish to say a few words on this Bill. Of course it is a welcome measure and I would like to support it. The object of the Bill is to establish a Port fee fund which will be utilised mainly for affording facilities to the passengers and for partial development of ports. Sir, this is a good measure no doubt. It is a welcome measure because it aims at the establistment of a separate fund. But as regards the funds created Sir, our experiences with this Government are not very happy and encouraging. I may point out here that the passenger amenity fund with the M.G.R.T.D. as the Audit report says, has not been utilised at all. No money is spent out of this fund. So I hope that this would not be the case with this fund also. I fully agree with the views expressed by my Hon'ble friend Sri Srinivasa Shetty regarding ports. Mysore has got a very long line of west coast and it is true that there are a large number of minor ports on that coast. The development of these minor ports is very essential and Government should take up this question in right earnest. I would suggest that the Government should set up a committee of experts to go round and report on the possibilities of the development of these minor ports, and Government should immediately take action on that report.

As far as facilities are concerned, Sir, Section 7 specifies the method of utilising this fund. The Chief Minister was pleased to say that the provisions of the Madras and the Bombay Acts have been included in this Bill. I do not know about the Madras Act because I have not gone through it, but while comparing with the Bombay Act I see that some of the valuable and useful provisions of the Bombay Act are not found in this Bill. It would have been certainly better had they been included in this Bill.

As regards the rate of fees, I fully agree with my friend Sri Rajaiah Shetty when he suggested that the schedule of rates should have been included in the Bill, but it is not there and it is left to be prescribed under the rules. The Bombay Act has a good provision regarding the fee to be levied on passengers. That Act puts a limit of one Anna. This is the proviso :

> "Provided further that the fee to be levied on any passenger on the occasion of embarking or disembarking at a landing place shall not exceed one anna."

This Government would do well to accept that limit because passengers should not be burdened with a heavy fees. With that motive the Bombay Act had put this limit. I hope this Government also would copy the same and bring it into force here.

As regards the facilities to be provided to passengers, the Bombay Act is more specific. Sub-clause (*b*) of clause 7 merely says "provision for improvement of facilities for passengers." This is very vague whereas in this respect the Bombay Act is very specific. It says :

"In defraying the cost of acquiring or constructing different landing places required for the convenience of traffic or trade of such port ;

"In maintaining and improving any existing landing place and in constructing, maintaining or providing waiting rooms and other benefits or facilities for passengers ;

"Generally, in the improvement of such ports ;

"In payment of the charges connected with establishing, maintaining telegraphs and telephone facilities in such ports."

The Bombay Act is very specific regarding providing facilities for passengers as well as ports. It would have been better had this Bill copied those provisions of the Bombay Act.

Then there is one another good provision in the Bombay Act regarding publishing the accounts. The Bombay Act makes it obligatory to publish the accounts annually. I may read the relevant portion :

"An abstract of the accounts for the past financial year in such form as the Chief Customs Authority prescribes shall be published annually as soon after as they are audited."

The Bombay Act makes it obligatory to publish the extract of accounts every year after the close of the year. This should be followed by this Government also.

Then, Sir, the provisions of sub-caluses (2) and (3) of clause 13 are very objectionable. It says :

"No suit, prosecution or other legal proceeding shall lie against any officer or person appointed....."

"No suit or other legal proceedings shall lie against the State Government for any damage caused .. .."

These sub-clauses give wide powers to the port authorities. The tendency of his Government is to arrogate as many powers as possible to the executive and this tendency is very objectionable. I think there should be an appeal to the higher authorities. In the case of the State Government the appeal should lie to the court. That is very necessary.

Then coming to the remarks of my Hon'ble friend from the P. S. P. Sri Rajaiah Shetty about Goa, he has been claiming Goa for Karnatak.

Sri B. VAIKUNTA BALIGA.—Is it in order to refer to matters of that type in the State Legislature ?

Sri B. R. SUNTHANKAR.—Since the point has already been raised by my friend, I have got every right to refer to it. In the first place I have to plainly say that Karnatak has no claim to Goa.

Sri M. N. NAGHNOOR.—It is better that you migrate to Maharashtra.

Sri B. R. SUNTHANKAR.—I am not speaking about Maharashtra. Maharashtra is not so unreasonable as to lay claim to any part of the country. I regret very much to hear those remarks about Goa from my friend Sri Rajaiah Shetty. It shows a sort of imperialistic attitude and an attitude of territorial aggrandisement. In my opinion Karnatak has absolutely no claim to Goa. In the first place Goa is under Portuguese rule. It has got to be freed and nobody knows when Goa is going to be freed.

Sri KADIDAL MANJAPPA.—The question as to whether it should go to Karnataka or Maharashtra can be decided later on.

Sri B. R. SUNTHANKAR.—The Prime Minister has on more than one occasion declared that after Goa is freed, it will be kept as an independent entity just like Pondicherry. As I have said, on no grounds Karnatak can lay any claim to Goa. There is no basis for that claim. It is very unfair and unfounded.

With these words I close.

Sri S. D. KOTHAWALE (Chikodi).—Mr. Speaker Sir, very probably some of my friends think that I am going to make a reference to the closing remarks made by my friend Sri Sunthankar. I am not going to do anything of that type because his remarks are out of place and are not at all relevant. The only point about the port of Goa is that its future can be decided by the Goanese people. When he challenged that and said that Karnatak people are imperialistic and addressed that challenge to my friend Sri Rajaiah Shetty he was very uncharitable about it. On the contrary he is making an imperialistic claim to Goa on behalf of the State of Maharashtra.

Sri B. R. SUNTHANKAR.—I have made no such claim.

Sri S. D. KOTHAWALE.—The port of Goa belongs not to Maharashtra, but it belongs to the Goanese people and they will decide its future. I think Sri Sunthankar should have drawn some wisdom from the oft-repeated views of the Prime Minister of India that when the Portuguese possessions in India become freed, they would be retained as such and that it would be for those very people to decide their future. Let him draw wisdom from that and let him not make a reference to it here in the manner he has done.

5-00 P.M.

The most important Clause in this Bill is clause 7 which deals with the expenditure of fees received under this Act. I hope the amount collected and accounted under the Port Fees Fund will be utilised for improvement of facilities of storage and handling of cargo at the minor ports.

I was not present from the beginning when this Bill was taken up but I got the impression that Members were demanding the development

of Mangalore, Bhatkal, Karwar or this or that port. I do not come from a port area but I come from the hinterland. I am of course interested in the development of ports in the interest of the People of the hinterland. Somehow there exists a wrong impression that the ports exist only to serve the interests of the people living in the vicinity of the ports. With the development of commerce and trade and improvement of communications, the ports are intended to serve the people all over the State. From this point of view, I am interested in the development of ports in general and I am not partial to this or that port.

Sir Mangalore is being developed into an all-weather port and I join the voice of my friend Sri Shetty when he wanted the faster development of Mangalore. I do hope the port would grow into an all-weather port with the greatest speed possible and its value would no doubt be enhanced with a rail link.

Sri R. M. PATIL.—When it comes to the question of giving preference, which would you prefer?

Sri S. D. KOTHAWALE.—The question of preferences do not arise here. It has been decided that Mangalore should be developed and it is for us to lend support to it and see that it is accomplished early.

Sir this Bill deals with minor ports. I believe the Bill has not come a day too early. In fact the Bill ought to have been passed in this House much earlier than now. The Bill was introduced long ago and we should have really pressed for its passage at an earlier date. The ports are important for the purpose of transporting our mineral products like iron and manganese ores and for passenger traffic also. By levying these fees we will be able to collect considerable amount and also get a matching grant from the Centre for the purpose of developing these ports. Therefore this House will extend its whole hearted support to the various provisions of this Bill. I am told that the ports can be classified as bay-ports, estuary-ports, etc., and we should be able to take maximum advantage of the natural facilities available. We should be able to press for more funds for development of the ports and we should also provide funds for this purpose. With these words, I support the Bill.

Sri B. D. JATTI.—Sir, so far four Honble Members have taken part in the debate and all of them have lent their support to the Bill. Some suggestions have been made and they are useful indeed. I will in particular try to reply to some of the suggestions made by Mr. Srinivasa Shetty. He said that the manner of utilisation of the fees that we propose to collect from the passengers, should be laid down in the Bill itself. I submit that the necessary rules will be framed. Those rules would be notified and placed before the House and if the House should choose to make any modification or change, we will accept them and bring them to force. While framing the rules, Government will take into consideration the fees levied in Madras and Bombay area and whichever is found to be more favourable to us will be adopted.

(Sri B. D. JATTI)

The Hon'ble Member Sri Stetty also said that the money which ought to have been spent for development of ports in Mysore State have not been spent. I will have to accept that it is correct to a great extent. The provision that was made in the second plan for the development of ports in Mysore State was 18 lakhs. I am speaking from memoray and I think that it was not possible for the Government of Mysore to spend more than five lakhs. The reasons are many and I am not going into details. During the second plan period it was not possible for the Government to reorganise the Department. Now proper officers have been appointed in some places and we are trying to get one or two officers from outside because they are not available in our State. We will try to advertise and get the best men available. Mr. Srinivasa Shetty also said that not only the moneys or fees collected should be spent for the development of ports but the provision that has been made by Government should be properly and fully spent. I entirely agree with them and we will try during the third plan to use all these moneys.

Sri Shetty had no mind to speak only on the provisions of the Bill. He wanted to take up the occasion to speak about the development of Mangalore port. I understand his feeling because he comes from Mangalore. He said that it would have been much better if the portfolio of ports was with a Minister who is coming from the ports area. In Mysore's cabinet there are three persons who come from port area. One is Mr. Shamsuddin who hails from Karwar, another i Mr. Vaikunta Baliga and the third is Mr. Hegde. These persons are assisting me and that is enough.

Sri R. M. PATIL.—Who is more useful among the three ?

Sri B. D. JATTI.—I think the Hon'ble Member who is asking the question is rather useful.

In respect of the Mangalore port, recently the Government of Mysore sent a Special Officer to study the situation not only in Mangalore but also in Karwar and other areas.

After getting full information from the officer, it has been possible for us to make arrangements for the development of all the ports in our State. A separate officer has been recently appointed for Coondapur from which Mr. Srinivasa Shetty comes.

Sri V. SINIVASA SHETTY.—Second time the appointment is made.

Sri B. D. JATTI.—We have made the appointment of an officer to look after the development of your port.

Sri V. SRINIVASA SHETTY.—Has he joined duty ?

Sri B. D. JATTI.—I do not know to-day ; I will tell you to-morrow. According to my information, he is to have joined.

Regarding all-weather port at Mangalore, there is no doubt about it because I have received a letter from the Member of the Planning Commission who is in charge of ports, Mr. T. N. Singh. He has officially informed that Mangalore has been accepted as an all-weather port and necessary provision made in the Central Budget for the development of Mangalore as an all-weather port. A sum of Rs. 10 crores is provided and we are to get roughly Rs. 5 crores. Not only that, I have received an official letter from the same Member saying that if more money is needed for the devleopment of Mangalore port during the Third Five-Year Plan, he is prepared to make necessary arrangements and for that purpose, he has officially informed the Minister who is in charge of this portfolio. That is the information that I have got. There need not be any doubt about Mangalore being developed as an all-weather port.

Regarding the linking of railway line, it is a known fact that as soon as Mangalore is accepted officially as an all weather port, Hassan--Mangalore rail will have to come and it will come ; there is no doubt about it.

Regarding the development of Karwar, a passing reference was made to it. I think we are to get roughly an amount of Rs. 2 crores and it has been accepted by the Planning Commission. If we spend Rs. 2 crores by the end of the Third Plan, it will be developed as an intermediary port. It will have the status of an all weather port. That is the information we have got from experts. I feel both Karwar and Mangalore will have better facilities for commerce and trade purposes.

Sri Sunthankar has said that the fees which are levied or collected should be properly used. We have to levy fees when we pass the Bill. We take the hint from the Honourable Member and we will be very careful in using the money properly and fairly. Regarding the other points he has made reference to, I am not going to say anything. It is for him to say or to come to conclusions. I think it is not necessary for me to say anything more. I hope this House will accept this Bill.

Mr. DEPUTY SPEAKER.—The question is :

"That the Mysore Ports (Landing and Shipping Fees) Bill, 1960, be taken into consideration."

The motion was adopted.

Mr. DEPUTY SPEAKER.—We will now consider the Bill, clause by clause. Clauses 2 to 4, both inclusive. The question is :

"That clauses 2 to 4, both inclusive, stand part of the Bill".

The motion was adopted.

Clauses 2 to 4, both inclusive, were added to the Bill.

Mr. DEPUTY SPEAKER.—Clause 5. There is an amendment.

Sri B. D. JATTI.—Sir, this is really not an amendment. It is a verbal change or it is put in proper words. Clause 5 did not clarify the position correctly ; in order to clarify it correctly we have recast it. Beyond that nothing else. It is really meant for substitution.

I beg to move :

" That for sub-clause (2) of clause 5, the following sub-clause shall be substituted, namely :

"(2) When goods are so detained, a notice in writing shall be given by the officer detaining the goods to the owner or consignee, if his address is known, stating the amount of fees, penalties and charges payable in respect of such goods. If the amount due is not paid by the owner or consignee within a period of thirty days from the date on which such amount becomes payable or within fourteen days from the date of notice whichever is later, it shall be lawful for such officer of Government to sell or cause to be sold by public auction, the said goods, and after paying the expenses of such detention and sale and double the amount of the fees and penalties by way of fine, to pay the surplus, if any, of the proceeds of the sale, to the owner or consignee or other person entitled thereto, if claimed within six months from the date of the sale :

"Provided that if the goods are of perishable nature it shall be lawful for the officer to sell the same or cause them to be sold within such period as may be prescribed but not less than twenty-four hours after such fees become payable".

Mr. DEPUTY SPEAKER.—Amendment moved :

" That for sub-clause (2) of clause 5, the following sub-clause shall be substituted, namely :

"(2) When goods are so detained, a notice in writing shall be given by the officer detaining the goods to the owner or consignee, if his address is known, stating the amount of fees, penalties and charges payable in respect of such goods. If the amount due is not paid by the owner or consignee within a period of thirty days from the date on which such amount becomes payable or within fourteen days from the date of notice whichever is later, it shall be lawful for such officer of Government to sell or cause to be sold by public auction, the said goods, and after paying the expenses of such detention and sale and double the amount of the fees and penalties by way of fine, to pay the surplus, if any, of the proceeds of the sale, to the owner or consignee or other person entitled thereto, if claimed within six months from the date of the sale :

"Provided that if the goods are of perishable nature it shall be lawful for the officer to sell the same or cause them to be sold within such period as may be prescribed but not less than twenty-four hours after such fees become payable."

Sri B. D. JATTI.—As I have explained, the original clause 5 was not very clear when we read it. In order to clarify the whole position we have recast the same clause. Beyond that, nothing else.

Mr. DEPUTY SPEAKER.—The question is:

"That for sub-clause (2) of clause 5, the following sub-clause shall be substituted, namely:

"(2) When goods are so detained, a notice in writing shall be given by the officer detaining the goods to the owner or consignee, if his address is known, stating the amount of fees, penalties and charges payable in respect of such goods. If the amount due is not paid by the owner or consignee within a period of thirty days from the date on which such amount becomes payable or within fourteen days from the date of notice whichever is later, it shall be lawful for such officer of Government to sell or cause to be sold by public auction, the said goods, and after paying the expenses of such detention and sale and double the amount of the fees and penalties by way of fine, to pay the surplus, if any, of the proceed of the sale, to the owner or consignee or other person entitled thereto, if claimed within six months from the date of the sale:

"Provided that if the goods are of perishable nature it shall be lawful for the officer to sell the same or cause them to be sold within such period as may be prescribed but not less than twenty-four hours after such fees become payable."

The amendment was adopted.

Mr. DEPUTY SPEAKER.—The question is:

"That clause 5 as asmended stand part of the Bill."

The motion was adopted.

Clause 5 as amended was added to the Bill.

Sri B. D. JATTI.—I beg to move:

"That in clause 6, for the word 'Disability' occurring in the marginal note, the word 'Liability' shall be substituted."

Mr. DEPUTY SPEAKER.—Amendment moved:

"That in clause 6, for the word 'Disability' in the marginal note, the word 'Liability' shall be substituted."

Sri B. D. JATTI.—Perhaps the meaning of 'disability' is liability. In order to remove the doubt, in place of 'disability', it has been suggested that the word liability' should be substituted.

Mr. DEPUTY SPEAKER.—The question is:

"That in clause 6, for the word 'disability' occurring in the marginal note, the word 'liability' shall be substituted."

The amendment was adopted.

Mr. DEPUTY SPEAKER.—The question is:

"That clause 6 as amended stand part of the Bill".

The motion was adopted.

Clause 6 as amended was added to the Bill.

Mr. DEPUTY SPEAKER.—The question is :

"That clause 1, the Title and the Preamble stand part of the Bill."

The motion was adopted.

Clause 1, the Title and the Preamble were added to the Bill.

Motion to pass.

Sri B. D. JATTI.—Sir, I move :

"That the Mysore Ports (Landing and Shipping Fees) Bill, 1960, as amended, be passed".

Mr. DEPUTY SPEAKER.—The question is :

"That the Mysore Ports (Landing and Shipping Fees) Bill" 1960, as amended be passed."

The motion was adopted.

MYSORE RENT CONTROL BILL, 1961 AS PASSED BY LEGISLATIVE COUNCIL

Motion to Consider.

Sri KADIDAL MANJAPPA (Minister for Revenue).— Sir, I beg to move:

"That the Mysore Rent Control Bill, 1960, as passed by the Legislative Council, be taken into consideration."

Mr. DEPUTY SPEAKER.—Motion moved :

"That the Mysore Rent Control Bill, 1960, as passed by the Legislative Council, be taken into consideration."

†Sri KADIDAL MANJAPPA.—Sir, the House is aware that this Bill was considered before it was referred to a Joint Select Committee in the year 19 9. Hon'ble Members are also aware that there are at present different laws relating to house rent control and accommodation in the State. This Bill seeks to secure uniformity on the subject. The Select Committee heard witnesses and took into consideration representations made by some persons and associations and considered the bill clause by clause in the light of the discussion that took place in this House and the Upper House. The Upper House adopted the report of the Select Committee with some modifications which are to be found in the Bill itself. Two modifications were made by the Upper House—one relating to sub-leting, that sub- eting should not affect to transactions which have taken place before this Bill becomes a law ; the other modification is, in relation to exemption in the case of certain buildings